



Fayette County Housing Authority

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Notice to All Fayette County Housing Authority (FCHA) Tenants

April 1, 2025

Re: Implementation of Section 102 and 104 of The Housing Opportunity Through Modernization Act of 2016 (HOTMA) effective July 1, 2025.

In accordance with your Lease, Part I, Section II, Lease and Amount of Rent:

- (a) The amount of the Total Tenant Payment and Tenant Rent shall be determined by the FCHA in compliance with HUD regulations and requirements and in accordance with FCHA's Admission and Occupancy Policy (ACOP).
- (c) Rent formulas or procedures are changed by Federal law or regulation.

FCHA will implement the requirements of the provisions of Sections 102 and 104 of HOTMA effective July 1, 2025, listed below with further guidance on outstanding provisions to follow completion of the Housing Information Portal (HIP):

1. Continued use of the EIV report at all interims and recertifications
2. De minimis errors regulations per 24 CFR 5.609 (c) (4) for correcting rent calculations.
3. Income Exclusions 24 CFR 5.609(b)
 - a. Nonrecurring Income (24 CFR 5.609(b)(24))
 - b. Lump-Sum Additions to Net Family Assets (24 CFR 5.609(b)(24)(vii))
 - c. Income Earned on Amounts Placed in a Family's Family Self Sufficiency (FSS) Account (24 CFR 5.609(b)(27))
 - d. Income of Live-in Aides, Foster Children, and Foster Adults (24 CFR 5.609(b)(8))
 - e. Payments Received for the Care of Foster Children or Foster Adults or State or Tribal Kinship or Guardianship Care Payments (24 CFR 5.609(b)(4))
 - f. Insurance Payments or Settlements (24 CFR 5.609(b)(5))
 - g. Civil Action Recoveries or Settlements (24 CFR 5.609(b)(7))
 - h. Earned Income of Dependent Full-Time Students (24 CFR 5.609(b)(14))
 - i. Adoption Assistance Payments (24 CFR 5.609(b)(15))
 - j. Veterans Regular Aid and Attendance (24 CFR 5.609(b)(17))
 - k. Home-Based Care Payments for a Family Member(s) with one or more Disabilities (24 CFR 5.609(b)(19))
 - l. Loan Proceeds (24 CFR 5.609(b)(20))
 - m. Certain Payments Received by Tribal Members (24 CFR 5.609(b)(21))
 - n. Exclusions from Other Federal Statutes (24 CFR 5.609(b)(22))
 - o. Replacement Housing Gap Payments (24 CFR 5.609(b)(23))
 - p. Student Financial Assistance (24 CFR 5.609(b)(9))
 - q. Achieving a Better Life Experience (ABLE) Accounts (24 CFR 5.609(b)(22))
 - r. Income and Distributions from Coverdell Education Savings Accounts, 529 Accounts, and "Baby Bond" Accounts (24 CFR 5.609(b)(10))
 - s. Gross Income from Self-Employment or Operation of a Business (24 CFR 5.609(b)(24) and 5.609(b)(28))
 - t. Civil Rights Settlements or Judgments (24 CFR 5.609(b)(25))

4. Definitions 24 CFR 5.100, 5.403, 5.603
 - a. Earned income and unearned income
 - b. Family
 - c. Day laborer
 - d. Dependent
 - e. Foster child
 - f. Health and medical expenses
 - g. Minor

What does this mean to you as a tenant? Beginning July 1, 2025, all recertifications and interims will include the new income exclusions and definitions. The purpose of HOTMA is to provide residents with increased flexibility when reporting changes in their income and household to reduce hurdles and make it easier to maintain eligibility for assistance.

A complete list of all provisions of Sections 102 and 104 are available at your site office, on our website at www.faycha.org, and at <https://www.hudexchange.info/programs/hotma/hotma-income-and-assets/#resident-resources>.

If you have any questions, please contact your Property Manager.

Sincerely,

Andre Walters
Executive Director
Fayette County Housing Authority